

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Elections and Civic Affairs, to which was referred Senate Bill No. 405, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 3-5-2-26.1 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2005]: **Sec. 26.1. "General election year"**
- 6 **refers to an even-numbered year that is not a presidential election**
- 7 **year.**
- 8 SECTION 2. IC 3-5-2-40.5 IS ADDED TO THE INDIANA CODE
- 9 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2005]: **Sec. 40.5. "Presidential election year" refers to a**
- 11 **year in which an election for President of the United States is held.**
- 12 SECTION 3. IC 3-10-6.5 IS ADDED TO THE INDIANA CODE
- 13 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 14 JULY 1, 2005]:
- 15 **Chapter 13. Municipal Elections in Even-Numbered Years**
- 16 **Sec. 1. This chapter applies to municipal elections conducted by**
- 17 **a county election board in a county if a majority of the**
- 18 **municipalities in a county adopt an ordinance placing the county**
- 19 **under this chapter.**
- 20 **Sec. 2. If the majority of the municipalities of a county adopts an**

1 ordinance placing the county under this chapter, the following
2 apply:

3 (1) The county election board of the county may not hold a
4 municipal election in an odd-numbered year.

5 (2) Each municipality for which the county election board of
6 the county conducts the municipality's elections shall adopt an
7 ordinance providing for election of all municipal officers in
8 even-numbered years.

9 Sec. 3. (a) An ordinance adopted under section 2 of this chapter
10 may provide for any of the following:

11 (1) That the election of all elected municipal officers is held in
12 presidential election years.

13 (2) That the election of all elected municipal officers is held in
14 general election years.

15 (3) That, to stagger the election of municipal officers, the
16 election of some elected municipal officers occurs in the
17 presidential election year and the election of the other elected
18 municipal officers occurs in the general election year.

19 (b) If the ordinance provides for staggering of the election of
20 elected municipal officers under subsection (a)(3), the ordinance
21 must state which officers are elected in presidential election years
22 and which officers are elected in general election years.

23 Sec. 4. An ordinance adopted under section 2 of this chapter
24 must do the following:

25 (1) State the first even-numbered year in which an election for
26 elected municipal officers will occur.

27 (2) State the term of office for each elected municipal officer
28 who is first elected in an even-numbered year under the
29 ordinance. The term of office of such an elected municipal
30 officer may not be more than four (4) years.

31 (3) Provide that the term of office of each elected municipal
32 officer begins on January 1 following the date of the election.

33 Sec. 5. An ordinance adopted under section 2 of this chapter
34 may not shorten the current term of office of an elected municipal
35 officer who holds office on the day the ordinance is adopted.

36 Sec. 6. Notwithstanding any other law, the following apply:

37 (1) The elected municipal officers of a municipality that
38 adopts an ordinance under section 2 of this chapter shall be

1 elected in the even-numbered years as provided in the
2 ordinance.

3 **(2) The elected municipal officers first elected under an**
4 **ordinance adopted under section 2 of this chapter shall serve**
5 **the term of office stated in the ordinance, beginning on**
6 **January 1 after the election.**

7 **(3) The term of office of the successor of each elected**
8 **municipal officer first elected in an even-numbered year**
9 **under an ordinance adopted under section 2 of this chapter is**
10 **four (4) years beginning on January 1 after the election.**

11 **Sec. 7. An ordinance adopted under section 2 of this chapter**
12 **may provide other details for municipal elections not in conflict**
13 **with this chapter or other law."**

14 Page 1, line 1, after "(a)" insert "**This SECTION applies only to a**
15 **county containing a consolidated city.**

16 **(b) The definitions in IC 3-5-2 apply throughout this SECTION.**
17 **(c)".**

18 Page 1, line 2, delete "local" and insert "**city or town**".

19 Page 1, line 4, delete "(b)" and insert "**(d)**".

20 Page 1, line 5, delete "(a)" and insert "**(c)**".

21 Page 1, line 6, delete "(c)" and insert "**(e)**".

22 Page 1, line 6, delete "(a)" and insert "**(c)**".

- 1 Page 1, delete lines 8 through 11.
- 2 Page 1, line 12, delete "(e)" and insert "**(f)**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 405 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 3.

Lawson C

Chairperson